

REMARKS

Claims 1-34 are pending in the present application. In the Final Office Action mailed March 7, 2007, the Examiner rejected claims 1, 4, 7-9, 11-14, 16-19, and 21-34 under 35 U.S.C. §102(b) as being anticipated by Wookey et al. (USP 6,182,249). The Examiner next rejected claims 2, 3, 5, 6, 10, 15, and 20 under 35 U.S.C. §103(a) as being unpatentable over Wookey in view of Hansen (USP 6,317,639).

In rejecting claim 1, the Examiner stated that Wookey et al. discloses “separately displaying and identifying on a graphical user interface (GUI) the device diagnostic data and the device reminder data,” in the discussion of an “alert” at column 16, lines 41-58 thereof. *Office Action*, 03/07/07, pg. 2. In response to Applicant’s remarks concerning the differences between a reminder and an alert, the Examiner recognized that reminder data “is based upon some predetermined information,” and that an alert is based on “predefined conditions.” *Office Action*, 03/07/07, pg. 5. However, the Examiner has not appreciated the difference between an alert and a reminder. A reminder “reminds” a user of some information that was previously known to exist. An alert informs a user that certain conditions which were identified, but not previously met, have now been satisfied. *Wookey et al.*, Col. 11, lns. 56-62 (“Alerts are predefined conditions in the various components of the monitored computer system that indicate operating conditions within the system. The alerts are designed to be sufficiently flexible so that they can detect not only serious problems, but also detect performance and misconfiguration problems”). A user might be “alerted” when a predefined “problem” arises in a monitored device, but would not be “reminded” when such a problem arises. The cited portion of Wookey et al. does not teach “alerting of the schedule[d] repair,” contrary to the Examiner’s contention. Accordingly, Wookey et al. does not teach or suggest all elements of claim 1, at least since it does not teach or suggest device reminder data. Applicant therefore respectfully requests withdrawal of the rejection of claim 1 and all claims depending therefrom.

Likewise, claim 17 calls for a computer programmed to “continually acquire reminder data wherein the reminder data includes a plurality of scheduled tasks.” Since, as set forth above, Wookey et al. does not regard reminder data, Wookey et al. cannot be said to anticipate claim 17. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 17 and all claims depending therefrom.

Similarly, claim 9 was also rejected as being anticipated by Wookey. Claim 9 calls for a GUI having “an alert section,” a “reminder section,” and “a general information section.” The Examiner did not address the elements of claim 9 in the rejection, but did note in the “Response to Arguments” section of the Office Action that “Wookey discloses in figure 12 a system

visualization screen that provides graphical representation of a host state that displays and identifies diagnostic data.” *Office Action*, 03/07/07, pg. 5. The screen shown in Fig. 12 of Wookey et al. is a “system visualization screen” which shows a tree structure of the host state and/or an element hierarchy along with an image 1205 of the particular component being viewed along with the “attributes or token values associated with the selected element” in region 1207. *Wookey et al.*, Col. 10, ln. 55 to Col. 12, ln. 7. Wookey et al. also discloses a separate GUI called an “alert viewer,” which “display[s] a list of alerts that have arisen and have not been dealt with.” *Wookey et al.*, Col. 16, lns. 41-59. Wookey et al. does not disclose any GUI which displays a “reminder section,” as claimed, since Wookey et al. does not teach or suggest reminder data. Accordingly, Wookey et al. does not teach or suggest one GUI which has “an alert section,” “a reminder section,” and “a general information section.” Thus, Applicant believes that Wookey et al. does not anticipate claim 9 and respectfully requests withdrawal of the rejection of claim 9 and all claims depending therefrom.

The Examiner also cited Wookey et al. as anticipating claim 25, but did not address any of the elements thereof, did not cite any portion of Wookey et al. as being relevant particularly to claim 25, and has not set forth any reasoning as to why claim 25 is believed to be anticipated. For at least this reason, the finality of the present Office Action is improper. MPEP §706 (“The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity”). The burden is upon the Examiner to establish a *prima facie* case of anticipation – it is not the job of an Applicant to guess at why the Examiner may have issued a rejection.

The Examiner has also failed to address many of the limitations found in the dependent claims. For example, claim 7 was rejected as being anticipated by Wookey et al. Claim 7 calls for, in part, “identifying on the GUI a device location within the medical institution.” The Examiner did not elaborate as to how Wookey et al., which only uses the word “location” in reference to where data is stored, can be said to anticipate this claim. Though Wookey et al. discloses that a monitored system 102 may be located remotely from the monitoring computer system 100, Wookey et al. does not teach or suggest a GUI which displays where the monitored system 102 is located within an institution. See *Wookey et al.*, Col. 3, lns. 63-65, Fig. 12.

As another example, claim 14 calls for a GUI having “a ‘Services Home’ tab, a ‘Solution Services’ tab, a ‘Services’ tab, an ‘Asset Management’ tab, a ‘Financial Services’ tab, an ‘Education’ tab, and a ‘Contact Device Provider’ tab.” The Examiner rejected claim 14 as being anticipated by Wookey et al. However, the only depiction of a GUI found in Wookey et al., Fig.

12, does not have the claimed tabs. In fact, the disclosure in Wookey et al. does not use most of the above-quoted phrases, and does not even use the word “tab.” The Examiner has not explained how such a deficient reference can be the basis of an anticipation rejection.

Claim 23 was also rejected as being anticipated by Wookey et al. Claim 23 recites that the computer of claim 17 is further programmed to “display on the GUI general information including industry news, device news, technology news, and news relating to the remote facility.” These types of general information are not called for in the alternative. To establish anticipation of claim 23, the Examiner must show that Wookey et al. discloses a computer programmed to show a GUI having displays of all the recited information types. The only GUI shown in Wookey et al. does not have displays of news, let alone displays of the four specific types of news recited in claim 23.

In summary, it is apparent that the Examiner has not considered all elements of all the claims in setting forth the present rejections. In failing to do so, the Examiner has not complied with the requirements of 35 U.S.C. §102 and MPEP §2131. Applicant believes that the above-discussed claims, and all claims depending therefrom, are patentably distinct from the art of record. Thus, in light of at least the remarks set forth herein, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-34.

Applicant appreciates the Examiner’s consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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